

Statement of John Conyers, Jr.  
Statement on Patriot Act Hearing, April 6, 2005

As we begin our review of the Patriot Act, I hope you understand that those of us who opposed its passage and question its utility do not do so because we want to coddle terrorists. We do so because we have historic and legitimate concerns regarding the misuse and the abuse of government powers, not only under the Patriot Act, but the entire array of authorities unilaterally assumed by the Administration since September 11.

This includes the mistreatment of the detainees, the condoning of torture, the designation of enemy combatants, the immigration sweeps, the excessive collection of personal data, the closing of immigration proceedings, the unchecked military tribunals, and the abuse of our material witness statutes.

When our own government detains and verbally and physically abuses thousands of immigrants without time limit, for unknown and unspecified reasons, and targets tens of thousands of Arab-Americans for intensive interrogations; I see a Justice Department that has institutionalized racial and ethnic profiling, without the benefit of a single terrorism conviction.

When our president can take it upon himself to label U.S. citizens as enemy combatants without trial, lawyer, charges, or access to the outside world; I see an executive branch that has placed itself in the constitutionally untenable position of prosecutor, judge, and jury and ignores, as it has in so many other instances, the principles of separation of powers.

\_\_\_\_\_When our Justice Department condones the torture of prisoners at home and abroad, and authorizes the monitoring of mosques and religious sites without any indication of criminal activity; I see a course of conduct that makes our citizens less safe not more safe, and undermines our role as a beacon of democracy and freedom.

When the FBI can arrest an innocent Muslim American – Brandon Mayfield – based on a botched finger print exam, and blame him for blowing up a train in Spain even though he has never been to that country and has no known connection to al-Qaeda or any other terrorist group; I hope you can understand why so many Americans are distrustful about the tactics and standards being applied in our war against terror.

When the Patriot Act can be misused to tap Mr. Mayfield's phones, seize his property, copy his computer, spy on his children, and take his DNA, all without his knowledge; I hope you can appreciate why I am today calling on the Inspector General to review the manner in which this gentleman and his family have been treated by our government.

In the past, your predecessor has stated that those who would criticize this Administration are "aiding the terrorists" and "giving ammunition to America's enemies" and chastised us as searching for "phantoms of lost liberty." I am here to say that these incidents are not phantoms, they involve real people with real families whose civil liberties have been abused in the war on terror. This Member will not be bullied or rushed into backing down from my legislative and oversight responsibilities.

Many of us remember a time when the powers of the FBI and the CIA were horribly abused. Many of us know what it means to face racial profiling and religious persecution. Many of us know that our nation has over-reacted to threats of violence in the past by clamping down on legitimate protests and law abiding immigrants.

To me the lessons of September 11 are that if we allow law enforcement to do their work free of political interference, if we give them adequate resources and modern technologies, we can protect our citizens without intruding on our liberties.

We all want to fight terrorism, but we want to work with you to fight it the right way, consistent with our constitution, and in a manner that serves as a model for the rest of the world.